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E.O. 12958: N/A
TAGS: [UNSC](#) [PREL](#) [LE](#) [SY](#)
SUBJECT: GUIDANCE: UNIIIC CONSULTATION, DECEMBER 17, 2008

[1](#)1. (SBU) This is an action message. USUN is instructed to vote in favor of a two month extension of the mandate for the UN Independent International Investigation Commission (UNIIIC) as provided in the draft resolution at para 3, below. In explaining the U.S. position on UNIIIC and its planned successor, the Special Tribunal for Lebanon, Mission is authorized to draw from points in para 2 below

[1](#)2. (U) Talking points.

-- I would like to thank Commissioner Bellemare for his insightful and constructive report. The United States supports the Commissioner's call for a two-month extension of UNIIIC to ensure a smooth transition to the establishment of the Special Tribunal for Lebanon pursuant to Resolution 1757.

-- The assassination of former Prime Minister Rafiq Hariri on February 14, 2005 galvanized the Lebanese people to insist on an end to violence and foreign intervention in Lebanon's internal affairs. The UN Security Council responded by adopting Resolution 1595 in April, 2005, establishing the International Independent Investigation Commission (UNIIIC), followed by a series of additional resolutions.

-- Commissioner Bellemare has reported good progress with the investigation over the past year. We hope the Council will join us in supporting this two-month extension to ensure that UNIIIC's efforts are properly incorporated into the work of the new Tribunal.

-- The United States is the largest single donor to the Special Tribunal for Lebanon aside from Lebanon itself, having contributed \$14 million for its start-up/first-year budget. On December 8, 2008, we indicated an anticipated pledge of \$6 million for the Tribunal's second year, pending Congressional authorization. We would encourage other states to join in providing financial support to the Tribunal to ensure its effective, independent operations in future years.

End talking points.

[1](#)3. (SBU) Begin text of draft resolution:

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1664 (2006), 1686 (2006), 1748 (2007), 1757 (2007), 1815 (2008), 1373 (2001) and 1566 (2004),

Reaffirming its strongest condemnation of the 14 February 2005 terrorist bombing, as well as of all other attacks in Lebanon since October 2004, and reaffirming also that those involved in these attacks must be held accountable for their crimes,

Having examined the report of the International Independent Investigation Commission (S/2008/752) ("The Commission"), submitted pursuant to resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006), 1748 (2007) and 1815 (2008),

Taking note of the Secretary-General's announcement that the Special Tribunal for Lebanon (The Tribunal) is fully on track to commence functioning on 1 March 2009,

Taking note of the Commission's request to extend its mandate up to 28 February 2009, so that it can continue its investigation without interruption and gradually transfer operations, staff and assets to the Hague with a view to completing the transition by the time the Tribunal starts functioning,

Taking note of the letter of the Prime Minister of Lebanon of 4 December 2008 (S/2008/XXX, Enclosure) to the Secretary-General expressing the hope that the Security Council will respond favourably to the Commission's request,

Commending the Commission for its extensive work and the progress it continues to achieve in the investigation on all cases within its mandate, and looking forward to further progress in this regard by the Commission as well as by the Office of the Prosecutor, once it begins to operate and takes over the continuation of the investigation into the death of former Prime Minister Rafiq Hariri and other cases which may be connected with the attack of 14 February 2005, in conformity with the Statute of the Tribunal,

Recognizing the commitment of Member States to the work of the Commission and underlining the importance of the continuation of their full cooperation with the Commission and, once it begins to operate, with the Office of the Prosecutor, in accordance with resolution 1757 (2007), in order to enable effective investigations and prosecutions,

11. Welcomes the report of the Commission;

12. Decides to extend the mandate of the Commission until 28 February 2009;

13. Decides to remain seized of the matter.

End draft resolution text.

RICE